

Resolution No.: 16-537
Introduced: May 13, 2008
Adopted: May 13, 2008

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY MARYLAND**

By: County Council

SUBJECT: Executive Regulation 28-07, Adoption of Building Construction Standards

Background

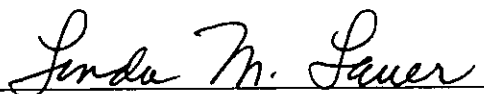
1. On April 8, 2008 the Council received Executive Regulation 28-07, "Adoption of Building Construction Standards" from the County Executive.
2. This regulation would adopt the 2006 editions of the International Building Code, The International Residential code, International Energy Conservation Code, The International Mechanical Code, and the International Fuel Gas Code, with amendments necessary to achieve uniformity and consistency with Maryland and Montgomery County law and ordinances, as well as policies and procedures of the Department of Permitting Services.

Action

The County Council for Montgomery County, Maryland approves the following regulation:

Executive Regulation 28-07, "Adoption of Building Construction Standards"

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive. 101 Monroe Street. Rockville, Maryland 20850

Subject: Adoption of the 2006 IBC, IRC, IECC, IMC, IFGC	Number: 28-07
Originating Department: Department of Permitting Services	Effective Date: May 13, 2008

Montgomery County Regulation on:

ADOPTION OF THE 2006 INTERNATIONAL BUILDING, ENERGY CONSERVATION,
MECHANICAL, FUEL-GAS, AND RESIDENTIAL CODES

DEPARTMENT OF PERMITTING SERVICES

Issued by:

The County Executive

Regulation No. 28-07

Authority: Code Sections 8-13 and 8-14

Supersedes: Regulations No. 24-04

Council Review: Method 2 under Code Section 2A-15

Register

Comment Deadline:

Effective Date: May 13, 2008

Sunset Date: None

SUMMARY: This regulation adopts the 2006 editions of the International Building Code (IBC), the International Energy Conservation Code (IECC), the International Fuel Gas Code (IFGC), the International Mechanical Code (IMC), and the International Residential Code (IRC) with amendments. It governs all buildings and structures within Montgomery County.

ADDRESS: Department of Permitting Services
255 Rockville Pike, Second Floor
Rockville, Maryland 20850-4166

STAFF CONTACT: Hadi Mansouri, Chief, Division of Building Construction 240/777-6233

BACKGROUND INFORMATION: Inasmuch as the International Code Council (ICC) publishes the international series (I-series) of construction standards every three years, and the State of Maryland adopts these standards and obligates its political subdivisions to adopt the standards within a specific time period. Montgomery County must adopt these standards within the prescribed period.

Sec. 1. This regulation is adopted pursuant to Sections 8-13 and 8-14 of the Montgomery County Code (MCC), 1994, as amended, and applies to the construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and/or maintenance of all buildings and structures, and their service equipment, within Montgomery County. It supersedes Executive Regulations 24-04, dated April 1, 2005, and all previous regulations adopting



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the BOCA and the International Code Council (ICC) standards. Its purpose is to adopt the 2006 editions of the IBC, the IECC, the IFGC, the IMC, and the IRC with amendments necessary to achieve uniformity and consistency with Maryland and Montgomery County laws and ordinances, as well as department/division policies and procedures. Where this regulation differs from the Montgomery County Fire Safety Code (fire code) it does not preempt or negate any more restrictive provisions of that code.

- Sec. 2. Wherever the IBC references the ICC Electrical Code, replace the reference with Chapter 17 of the Montgomery County Code. Wherever the IBC references the ICC/ANSI A117.1, replace the reference with the Maryland Accessibility Code.

AMENDMENTS TO THE 2006 INTERNATIONAL BUILDING CODE (IBC)

- Sec. 3. Section 101.1. Replace the parentheses and the phrase in the parentheses with "Montgomery County, Maryland."
- Sec. 4. Section 101.2. Number the existing exception as #1 and add a second exception (#2) to read as follows: Existing buildings, as defined by the Maryland Building Rehabilitation Code, undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the Maryland Building Rehabilitation Code.
- Sec. 5. Sections 101.4.1, 101.4.4, 101.4.5, and 101.4.6. Delete.
- Sec. 6. Section 101.4.2. Delete and replace as follows: The provisions of the International Fuel Gas Code shall apply to the installation of Liquefied Petroleum gas systems and appliances, fuel gas appliances and related accessories as covered in this code. These requirements apply to the inlet connections of appliances and to the installation and operation of residential and commercial gas appliances and related accessories. The provisions of the International Fuel Gas Code apply to the extent that they are adopted in this regulation.
- Sec. 7. Section 102.6. Delete the phrase "the International Property Maintenance Code."
- Sec. 8. Sections 103, 107, 110, and 112, except 112.2. Delete.
- Sec. 9. Section 105.1. Add the following: A separate permit is required for each legal address and for each separate building at a legal address.
- Sec. 10. Section 105.2. Delete all except subsections 105.2.1, 105.2.2, and 105.2.3.
- Sec. 11. Section 105.5. Delete.



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- Sec. 12. Section 108.1. Add a second sentence to read: Required fees shall be paid for each separate permit application.
- Sec. 13. Sections 108.2 through 108.6. Delete.
- Sec. 14. Section 109.3.10. Add the following: The final inspection must be requested and approved before a building (or portion thereof) including equipments and appliances are used or occupied, whether or not a valid certificate of use and occupancy exists.
- Sec. 15. Section 305.2. Change 2½ to 2.
- Sec. 16. Section 308.2. Change the word "five" to "eight," and the word "six" to "nine."
- Sec. 17. Section 308.3.1. Change 2½ to 2.
- Sec. 18. Section 308.5.2. In code text and exception, change 2 ½ to 2.
- Sec. 19. Section 310.1. After the description for Group R-3 occupancies, add the following:
- Exceptions:
1. A family day care home, which is a dwelling in which child day care services are provided: a) in the home where the registrant is the provider and a resident, or where the registrant is not a resident, but more than half of the children cared for are residents; b) for not more than eight children, including the children of the provider, who are less than six years of age, and; c) where staffing complies with state and local regulations, but no more than two non-resident staff members are on site at any time, may be classified as Group R-3, or as a one- or two-family dwelling conforming to the IRC; or
 2. A group day care home, which is a dwelling in which child day care services are provided: a) in the home where the licensee is the provider and a resident; b) for nine to 12 children, including the children of the provider, and; c) where staffing complies with state and local regulations, but no more than three non-resident staff members are on site at any time, may be classified as Group R-3, or as a one- or two-family dwelling conforming to the IRC.
- In the first sentence of Group R-4 change "five" to "eight".
- Sec. 20. Section 509.2. In the third condition, add the following sentence: "For purposes of determining the number of stories above grade, a story above the 3-hour horizontal assembly shall be considered a story above grade regardless of the location of the average grade plane."



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- Sec. 21. Section 509.2. Add a sixth condition to read as follows: "6. A fire command center complying with Section 911 shall be provided."
- Sec. 22. Section 707.14.1. Add the following sentence at the end of the section: Where an enclosed elevator lobby is provided, exit access corridors shall not be interrupted by an elevator lobby.
- Sec. 23. Section 716.5.3. Replace the first sentence of Exception 2 with the following: "In buildings, other than Group H occupancies, equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2, smoke dampers are not required where:"
- In Exception 2, paragraph 2.1, add the word "Domestic" in front of the word "Kitchen."
- Sec. 24. Section 903.1.1. Delete and replace with the following: 903.1.1 Alternative Protection. Where water as an extinguishing agent is not compatible with the fire hazard, or is prohibited by a law, statute, or ordinance, the affected area must be protected by an approved automatic fire-extinguishing system utilizing an extinguishing agent that is compatible with the fire hazard.
- Sec. 25. Section 903.1.3. Add the following sentence at the end of the section: Unless specifically permitted by this Code, automatic sprinkler systems in occupancies other than one and two family dwellings shall be installed in accordance with Section 903.3.1.1 or 903.3.1.2.
- Sec. 26. Section 905.3. After the section title add the following two sentences:
In new installations where the code requires either Class II or III standpipes, Class I standpipes shall be installed. Occupant use hose is prohibited in new or existing buildings.
- Sec. 27. Section 907.3.3. Delete.
- Sec. 28. Section 909.9. Add the following sentence at the end of the section: In all cases, the design fire size shall not be less than 5000 Btu/s (5275 kW) unless approved by the building official and the fire official.
- Sec. 29. Section 909.16. In the third sentence, replace the words "approved location adjacent to the fire alarm control panel" with "location approved by the building official and the fire official".
- Sec. 30. Section 911. Replace the second sentence with the following, "The fire command center shall have a door directly to the exterior of the building on the address side. The exterior door to the fire command center shall be within 50 feet of a fire department access road. A fire department access box shall be provided within 6 feet of the exterior door to the fire



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	command center. The exterior door to the fire command center shall be identified on the exterior face as the fire command center in a manner acceptable to the fire official."
Sec. 31.	Table 1004.1.1. Add an entry for "Shell Office Spaces" with an occupant load factor of 65 gross square feet per person.
Sec. 32.	Section 1009.3, Exception 4. Change 7.75 to 8.25 and in both occurrences Change 10 to 9.
Sec. 33.	Section 1013.1. After the first occurrence of the phrase "floor or grade below" insert the phrase "and retaining walls with a difference in grade level on either side of the wall exceeding 30 inches (762 mm) and within 2 feet (610 mm) of a walk, path, parking lot, or driveway on the high side."
Sec. 34.	Section 1013.2. Add a third exception: Exception 3. In occupancies in Group R-3, and within individual dwelling units in occupancies in Group R-2, interior guards shall be permitted to be not less than 36 inches high.
Sec. 35.	Section 1015.2.1. Add the following exception: Exception 3. In buildings of Group R-2 four stories or less in height above the grade plane that are served by two required exterior stairways connected by an open-ended corridors shall be in compliance with Section 1023.6, Exception 4, and shall be provided with remoteness between the near edge of the required landings that are separated by a distance of at least one fourth the length of the maximum overall diagonal dimension of the area served.
Sec. 36.	Section 1017.1 Replace Exception 4 with the following: A fire resistance rating is not required for corridors within single-tenant Group B occupancies.
Sec. 37.	Section 1018. Add a new section 1018.3 to read as follows: Section 1018.3. Fire Department Access to Floors. Not less than one exit stair which serves all stories of the building shall be accessible by an internal corridor from the main entrance of the building or the fire department response location.
Sec. 38.	Section 1024.1, Exception 1, Item 1.1. Add two sentences at the end of the item that read as follows: The door to the exterior of the building shall be in direct sight of the point of the termination of the exit. For the purposes of this section, the use of exit signs or other exit markings shall not be considered as making the way to the exterior "readily visible and identifiable".
Sec. 39.	Chapter 11. Delete and replace with the Maryland Accessibility Code.



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- Sec. 40. Table 1607.1 Item 30 Roofs. Modify the uniform live load value for "Ordinary flat, pitched and curved roofs" to 30 pounds per square foot.
- Sec. 41. Section 1608.2. After the title add the following sentence: "Design ground snow loads for Montgomery County shall be not less than 30 pounds per square foot."
- Sec. 42. Section 1612.3. After the heading, delete the text and replace with the following: The Floodplain District in Montgomery County is established in Section 3 of Executive Regulation 108-92 AM, Floodplain Regulations, per the authority in Article III, Chapter 19 of the Montgomery County Code.
- Sec. 43. Add a new section as follows: Section 1801.2.2 Special conditions. Design and construction of all buildings and structures within 1000 feet of a known municipal solid waste (MSW) landfill site that does not currently have an operational land fill gas (LFG) monitoring and removal system, shall require special engineering of foundation systems, including walls and floor slabs, to provide for the safety of occupants against hazards from LFG concentration. Special subsurface investigations shall be conducted, at the owner's expense, by an approved and qualified engineer or geologist to determine the extent of the potential hazard. The study must identify the potential hazards, and mitigation plans for the site must be incorporated into the construction documents and approved prior to issuance of a building permit. All buildings and structures within 1000 feet of the boundary of a MSW landfill shall be equipped with a methane gas detector with an alarm activation level of 20% of the lower explosive limit (LEL 1% by volume).
- Sec. 44. Section 1805.2.1. After the word "locality", in method number 1, insert (Depth shall be a minimum of 24 inches below the adjacent finish grade).
- Sec. 45. Chapter 29. Delete.
- Sec. 46. Sections 3001.2, 3001.3, and 3001.4. Delete and replace with the following: 3001.2 Standards. The Maryland Department of Labor, Licensing, and Regulation, Division of Labor and Industry, regulates the design, installation, inspection, and testing of all hoisting and conveying equipment.
- Sec. 47. Section 3107.1. Add the following at the end of the sentence: and Chapter 59 of the Montgomery County Code, 1994, as amended.
- Sec. 48. Add a new Section 3110 to read as follows:
- Section 3110. In-Building Signal Amplification System.
- Section 3110.1. General. The provisions of this Section shall apply to all newly constructed below ground floors of a building, all floors in buildings greater than 25000 ft²



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per floor, and to all floors of buildings greater than 3 stories in height of Type I and II constructions. Exception: The requirements of this section shall not apply to areas within an individual dwelling unit.

Section 3110.2. Where Required. Every floor area in a building or structure which can not achieve the required level of radio coverage as established by Montgomery County Department of Technology Services shall be provided with an in-building signal amplification system.

Section 3110.3. Inspection and Testing. Radio coverage and in-building signal amplification systems must be tested, and inspected by approved individuals. The results of the testing and inspection shall be certified to the code official prior to issuance of an occupancy permit.

Sec. 49. Section 3401.2. Add the following at the end of the first sentence: Existing buildings, as defined by the Maryland Building Rehabilitation Code, undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the Maryland Building Rehabilitation Code.

Sec. 50. Appendix F. Appendix F is hereby adopted in its entirety.

Sec. 51. Appendix G. Appendix G is hereby adopted in its entirety and amended as follows:

Section G102.1. Insert after International Building Code the phrase "and the provisions of Article III, Chapter 19 of the Montgomery County Code, and Executive Regulation 108-92 AM."

Section G102.2. Replace the parentheses and the phrase within the parentheses with the effective date of this regulation.

Sec. 52. Appendix H. Appendix H is hereby adopted in its entirety and amended as follows:

Section H 101.1. Insert at the beginning of this section "The provisions of this chapter shall apply to signs that are permitted by the Montgomery County Zoning Ordinance".

Section H 101.2, Delete.

Section H102.1, Delete definitions for "Combination sign", "Pole Sign", and "Projecting Sign."

Add definition of "Supported Sign" as follows: 'A sign that is attached to a structure like a pole, column, frame, or brace, as its sole means of support, and is not a ground sign and is not attached to a building.



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Delete and replace the definition of "sign" as follows: "Any device, fixture, placard, or structure that uses any color, form, graphics, illumination, symbol, or writing to attract attention or to communicate information".

Delete and replace the definition of "ground sign" as follows: "A sign erected on the ground or with its bottom edge within 12 inches of the ground, that has its support structure as an integral part of the sign, and where the dimensions closest to the ground is greater than height.

Delete and replace the definition of "wall sign" as follows: "Any sign that is attached to the wall of a building. There are two types of wall signs: Flat wall sign: A sign that is parallel to the wall of a building to which it is attached, but does not extend more than 12 inches from the building face; Projecting wall sign: A sign that is attached to a wall of a building and extends more than 12 inches from the building face.

Section H104, Delete.

Section H108, Delete.

Section H109. Add the words "and supported" between "ground" and "sign" in the title and in the first two sentences of H109.1

Section H109.2, Delete.

Section H112. Add the word "wall" between "projecting" and "sign" in the title and first sentence.

Sec. 53. Appendix I. Appendix I is hereby adopted in its entirety.

AMENDMENTS TO THE 2006 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)

Sec. 54. Section 101.1. Replace the parentheses and the phrase in the parentheses with "Montgomery County, Maryland."

Sec. 55. Section 101.2. Add exception to read as follows: Energy conservation systems and components in existing buildings, as defined by the Maryland Building Rehabilitation Code, undergoing repair, alteration or additions, and change of occupancy, shall be permitted to comply with the Maryland Building Rehabilitation Code.

AMENDMENTS TO THE 2006 INTERNATIONAL MECHANICAL CODE (IMC)

Sec. 56. Section 101.1. Replace the parentheses and the phrase in the parentheses with



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"Montgomery County, Maryland."

Sec. 57. Section 101.2. Add exception to read as follows: Mechanical systems in existing buildings, as defined by the Maryland Building Rehabilitation Code, undergoing repair, alterations, or additions, and change of occupancy shall be permitted to comply with the International Existing Building Code.

Sec. 58. Sections 106.4.3, 106.4.4, 106.5, and 109. Delete.

Sec. 59. Section 306.3. After the first sentence add the following: Access to the attic opening shall be provided by a permanent or pull-down stairway in all new construction. In existing installations, portable ladders shall be acceptable.

AMENDMENTS TO THE 2006 INTERNATIONAL FUEL GAS CODE (IFGC)

Sec. 60. Section 101.1. Replace the parentheses and the phrase in the parentheses with "Montgomery County, Maryland."

Sec. 61. Section 102.2.1. Delete and replace to read as follows: As an alternative to the provisions of this code, fuel-gas piping systems, fuel-gas utilization equipment and related accessories in existing buildings, as defined by the Maryland Building Rehabilitation Code, undergoing repair, alterations, or additions, and change of occupancy shall be permitted to comply with the Maryland Building Rehabilitation Code.

Sec. 62. Sections 106.4.3, 106.4.4, 106.5, and 109. Delete.

Sec. 63. Chapter 4. Delete all except Sections 401.2, 402.6.1, 412, 413, and 414.

AMENDMENTS TO THE 2006 INTERNATIONAL RESIDENTIAL CODE (IRC)

Sec. 64. Section R101.1. Replace the parentheses and the phrase in the parentheses with "Montgomery County, Maryland."

Sec. 65. Section r101.2. Add Exception to read as follows: Existing buildings, as defined by the Maryland Building Rehabilitation Code, undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the Maryland Building Rehabilitation Code.

Sec. 66. Section 102.7. Delete the phrase "the International Property Maintenance Code."

Sec. 67. Section R105.2, Items 1 & 2. Delete. Item 3. Change 4 to 4 ½ and 1219 to 1372. Sections



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R105.3.1.1, R105.3.2, and R105.5. Delete.

Sec. 68. Section 107. Delete.

Sec. 69. Section R108.1. Replace the second sentence with the following: Required fees shall be paid for each separate permit application. Sections 108.2 through 108.5. Delete.

Sec. 70. Sections R109.1 through R109.1.6. Delete all except R109.1.2, R109.1.5, and R109.1.5.1 and replace with the following: R109.1 Types of inspections. The following inspections must be conducted for all buildings and structures:

1. Sign: The sign must be posted on the property within 3 days after the permit issuance date and must remain posted on the property for 30 days. The sign must be located on the side of the lot/parcel, which provides principal access to the street or right-of-the-way. It must be conspicuously posted not more than 5 feet from the front property line and mounted at least 30 inches, but not more than 60 inches, above the ground. NO BUILDING INSPECTION WILL BE PERFORMED PRIOR TO THE APPROVAL OF THIS INSPECTION.
2. Footings: Conducted prior to concrete placement and after excavations for all footings and thickened slabs are completed; after form work, reinforcing steel, concrete-encased electrode (for new dwellings), and grade stakes are in place; and after sediment control measures are installed according to the approved sediment control plan.
3. Foundation/parging or back-fill: Conducted after the exterior walls have been waterproofed and the exterior drain tiles have been installed
4. Concrete slab-on-ground floor: Conducted after the installation of the gravel base, vapor barrier, slab edge insulation, and required radon-control features prescribed in Appendix F. When a sump crock is used for radon venting, it must be in place at the time of this inspection.
5. Wall check (house location survey): The owner must have a house location survey prepared and certified by a Maryland Registered Land Surveyor and must submit a copy to the building official for approval prior to erecting the framing. A wall check not identified by a premise address and permit number will not be accepted. A FRAMING INSPECTION WILL NOT BE CONDUCTED WITHOUT AN APPROVED WALL CHECK.
6. Masonry fireplace/flue: Conducted after the fireplace and first flue liner section are completed.
7. Factory-built fireplace/flue: Conducted at the framing inspection after installation of



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the unit.

8. Framing ("close-in"): Conducted after the completion of all framing, rough electrical/mechanical construction, sprinkler, plumbing and gas piping and just prior to concealment with insulation or interior finishing materials. The plumbing/gas inspection approval must have been granted by the Washington Suburban Sanitary Commission (WSSC) prior to the request for a framing inspection. Also, the sprinkler close-in inspection approval must have been granted by the Department of Fire & Rescue Services (DFRS) prior to the request for a framing inspection. The rough wiring and mechanical inspections must be requested at the same time. WHEN THE FLOOR FRAMING IS LESS THAN 36 INCHES (914 MM) ABOVE THE SURFACE BELOW, A FRAMING INSPECTION SHALL BE REQUESTED PRIOR TO INSTALLATION OF ANY FLOOR DECKING.
9. Well and Septic Systems: Where a building is served by an on-site water system or an on-site sewage disposal system, prior to the final inspection, an "Interim Certificate of Potability" or "Certificate of Potability" and/or a "Certificate of Sewage Disposal", as appropriate, must be issued by the Department. Where a building is served by an on-site water system or an on-site sewage disposal system, any condition of the permits issued for those systems shall be satisfied prior to the final inspection.
10. Final: A final inspection for compliance with the IRC is to be conducted after the building is completed and ready for occupancy, but prior to settlement on the house, unless the contract owner waives the requirement for final inspection and provides the building official with a written copy of the waiver. For new construction, final electrical, mechanical, and sprinkler inspections must be requested with the final building inspection, and the address numbers must be displayed in accordance with the requirements of the fire code. Note: A final approval from WSSC shall be obtained for all plumbing/gas installations prior to requesting final building inspections from the County. Also, The Sprinkler final inspection approval must have been granted by the Department of Fire & Rescue Services (DFRS) prior to the request for a final inspection. If an owner refuses access within a reasonable time after a house is completed, the building official may close the permit file, but this action will not relieve the owner from any obligation to comply with applicable codes. The final inspection must be requested and approved before a building (or portion thereof) is used or occupied.
11. Re-inspection: Any of the above inspections disapproved twice for the same violation will be subject to a re-inspection fee, as established in the Schedule of Permit and License Fees, which must be paid before any further inspections will be performed at the building site.

Sec. 71.

Sections R110. Delete.



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- Sec. 72. Sections R112. Delete except R112.2.
- Sec. 73. Section R202. To the definition dwelling unit add: A dwelling unit may contain a family day care home, group day care home, a home occupancy or home health care practitioner complying with Chapter 59, Montgomery County Code. Note: A certificate of use and occupancy is required before any space dedicated for home occupancy or home health care practitioner can be used or occupied. See Chapters 8 and 59, Montgomery County Code.
- Sec. 74. Table R301.2(1). Under the headings indicated insert the appropriate criteria, as follows: GROUND SNOW LOAD—30 pounds per square foot (psf); WIND-Speed—90 miles per hour (mph); SEISMIC DESIGN CATEGORY—B; SUBJECT TO DAMAGE FROM-Weathering—severe, Frost line depth—24 inches (612 mm), Termite—moderate to heavy, and Decay—slight to moderate; WINTER DESIGN TEMP—13 degrees Fahrenheit (F); ICE SHIELD UNDERLAYMENT REQUIRED—yes; footnote i; FLOOD HAZARDS—yes; footnote h: (a), (b) July 2, 1979; AIR FREEZING INDEX—300; MEAN ANNUAL TEMPERATURE—55.
- Sec. 75. Sections R302.1. Delete the second Exception.
- Sec. 76. Section R305.1, Exception 2. Delete. Exception 3. Delete the first occurrence of the word “required.” Delete the phrase “with no portion of the required floor area less than 5 feet” and replace it with the phrase “Any floor area having less than 5 feet of ceiling height shall not be considered part of the room area and shall not be allowed to have any permanent fixtures or furnishings such as, but not limited to, cabinets, counters, and shelves.”
- Sec. 77. Sections R311.4.3. Exceptions 2 and 3 change 7¼ to 8¼.
- Sec. 78. Section R311.5.3.1. Change 7¼ to 8¼, 196 to 209.
- Sec. 79. Section R311.5.3.2. Change 10 to 9 and 254 to 229 in both occurrences.
- Sec. 80. Section R312.1. After the first occurrence of the phrase “floor or grade below” insert the phrase “and retaining walls with a difference in grade level on either side of the wall exceeding 30 inches (762 mm) and within 2 feet (610 mm) of a walk, path, parking lot, or driveway on the high side.”
- Sec. 81. Section R313. To the title add: AND AUTOMATIC SPRINKLER SYSTEMS.
- Section R 313.2.1. Delete all from “as required” to “hard wired”, and insert “in accordance with Montgomery County Department of Permitting Services, Division of Building Construction Policy 06-7.” Exceptions 1 and 2 delete.



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Add a new subsection: R313.4. Automatic sprinkler system required. An approved automatic sprinkler system must be installed in detached one- and two-family dwellings and townhouses. The sprinkler system design, installation, inspection, and testing must be in accordance with the requirements of the fire code.

Add new subsection R313.5 Additions to one- and two- family dwellings and townhouses equipped with an approved sprinkler system. An approved automatic fire sprinkler system must be installed in additions to dwellings equipped with automatic sprinkler systems.

Add new subsection R313.6. Rehabilitation work in one- and two- family dwellings and townhouses equipped with an approved sprinkler system. An approved automatic fire sprinkler system shall be maintained or upgraded in areas undergoing rehabilitation work.

Add new subsection R313.7. Automatic sprinkler system for reconstruction. An approved automatic fire sprinkler system shall be installed when 50 percent or more of the gross floor area as defined in section 1002.1 of the IBC of the existing building is demolished.

Sec. 82. Section 323.1 Add a new sentence. Walls and ceiling of elevator shafts shall be covered with by not less than 5/8-inch (15.9 mm) Type X gypsum board.

Sec. 83. Section R324.1. To the first paragraph add the phrase "and the Floodplain District Requirements, Article III, Chapter 19, of the Montgomery County Code, and Executive Regulation 108-92 AM."

Sec. 84. Add a new section as follows: Section R401.5. Special conditions. Design and construction of all buildings and structures within 1000 feet of a known municipal solid waste (MSW) landfill site that does not currently have an operational land fill gas (LFG) monitoring and removal system, shall require special engineering of foundation systems, including walls and floor slabs, to provide for the safety of occupants against hazards from LFG concentration. Special subsurface investigations shall be conducted, at the owner's expense, by an approved and qualified engineer or geologist to determine the extent of the potential hazard. The study must identify the potential hazards, and mitigation plans for the site must be incorporated into the construction documents and approved prior to issuance of a building permit. All buildings and structures within 1000 feet of the boundary of a MSW landfill shall be equipped with a methane gas detector with an alarm activation level of 20% of the lower explosive limit (LEL-1% by volume).

Sec. 85. Section R403.1.4.1. Change the first exception to read: One-story detached accessory structures, excluding garages and carports, used as tool and storage sheds, playhouses and similar uses and not exceeding 400 square feet or less in floor area and an eave height of 10 feet (3048 mm) or less shall not be required to be protected. Delete second exception.



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- Sec. 86. Section R404.1. Delete second paragraph except items 1 and 4. Add "The wood sole plate at exterior walls on monolithic slabs and wood sill plate shall be anchored to the foundation with anchor bolts spaced a maximum of 4 feet (1220 mm) on center. There shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches (305 mm) or less than seven bolt diameters from each end of the plate section. Bolts shall be at least 1/2 inch (12.7 mm) in diameter and shall extend a minimum of 7 inches (178 mm) into masonry or concrete. Interior bearing wall sole plates on monolithic slab foundations shall be positively anchored with approved fasteners. A nut and washer shall be tightened on each bolt to the plate. Sills and sole plates shall be protected against decay and termites where required by Sections R319 and R320. Cold-formed steel framing systems shall be fastened to the wood sill plates or anchored directly to the foundation as required in Section R505.3.1 or R603.1.1."
- Sec. 87. Section R405.1. Add to the title "exterior drainage system". Delete the exception. Add new subsection R 405.1.1. Concrete or masonry foundation interior drainage system. Weep holes at least 2 inches (51 mm) in diameter, spaced at a maximum of 6 feet (1828 mm) on center shall be installed in the footing connecting into the interior drains. Weep-hole inlets shall have a minimum of 6 inches (153 mm) of gravel for the full perimeter of the foundation, extending at least 12 inches (306 mm) from the inlets and covered by a layer of approved filter membrane.
- Sec. 88. Section R406.1. Delete.
- Sec. 89. Section R406.2. Delete the first sentence and replace with the following: Exterior foundation walls retaining earth and enclosing usable spaces below grade must be waterproofed with an approved waterproofing system or a membrane extending from the top of the footings to finished grades. Delete items 1, 2, 3, and 4. Add. "Waterproofing system shall be installed as required in the current International Code Council Evaluation Service report for the product."
- Sec. 90. Section R506.2.3. Delete Exception 3.
- Sec. 91. Section R602.10.1. At the end of first paragraph, add the following sentence: Variation in or combination of bracing methods from story to story, from braced wall line to brace wall line within a story, and within braced wall line is permitted if a registered design professional in the state of Maryland certifies that the wind bracing system is adequate for all loads likely to be imposed on it.
- Sec. 92. Add new section R602.10.3.1. Braced wall panel interior finish material. Braced wall panels shall have gypsum wall board installed on the side of the wall opposite the bracing material. Gypsum wall board shall be not less than 1/2 inch (12.7 mm) in thickness and be fastened in accordance with Table R702.3.5 for interior gypsum wall board.
Exceptions:
1. Wall panels that are braced in accordance with Method 5.



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2. Wall panels that are braced in accordance with Section R602.10.6
3. When an approved interior finish material with an in-plane shear resistance equivalent to gypsum board is installed.
4. For Methods 2, 3, 4, 6, 7, and 8, gypsum wall board is permitted to be omitted provided the percentage of bracing in Table R602.10.1 is multiplied by a factor of 1.5.

- Sec. 93. Delete foot notes b and c from Table R602.10.5.
- Sec. 94. Add new subsection R602.10.5.1. Only full-height braced wall panels shall be used for calculating braced wall amount in accordance with Table R602.10.1.
- Sec. 95. Add new subsection R602.10.5.2. Braced wall panel location. A braced wall panel shall be located at each end of a continuously sheathed braced wall line. A minimum 24-inch wood structural panel corner return shall be provided at both ends of a continuously-sheathed braced wall line. Exception: The first braced wall panel shall be permitted to begin 12 feet 6 inches from each end of the braced wall line provided a minimum 24-inch full-height wood structural panel is provided at both sides of a corner constructed in accordance with Figure R602.10.5 at the braced wall line ends.
- Sec. 96. Add new subsection R602.10.5.3. Aspect ratio segments at garage door openings used with continuous structural panel sheathing. A 4:1 aspect ratio shall be permitted for full-height sheathed wall segments on either side of garage openings that support light frame roofs only, with roof covering dead loads of 3 psf (0.14 kN/m²) or less. For purposes of calculating the percentage of panel bracing required by Table R602.10.1, the length of the full height sheathing segment shall be equal to its measured length. This option is limited to one wall of the garage.
- Sec. 97. Add new subsection R602.10.5.4. Aspect ratio segments used with continuous structural panel sheathing. Wall segments having a maximum 6:1 height to width ratio shall be permitted to be built in accordance with Figure R602.10.4.6 of the 2007 Supplement to IRC. The maximum 6:1 height-to-width ratio is based on height being measured from top of header to the bottom of the wall segment bottom-plate. For purposes of calculating the percentage of panel bracing required by Table R602.10.1, the width of the full-height sheathing segment shall be equal to its measured width. Corners at the ends of walls using this option shall be constructed in accordance with Figure R602.10.5. The number of wall segments having a maximum 6:1 height to width ratio in a wall line shall not exceed four. In multi-story buildings, wall segments having a maximum 6:1 height to width ratio are not permitted to be directly stacked vertically. For purposes of resisting wind pressures acting perpendicular to the wall, in accordance with Section R301.2, the minimum requirements of Figure R602.10.4.6 of the 2007 Supplement to IRC shall be sufficient for wind speeds less than 110 mph in Exposure Category B. For Exposure Categories C and D, the header to jack stud strap requirements and the number of additional jack studs shall be in accordance with Table R602.10.4.6 of the 2007 Supplement to IRC.
- Sec. 98. Section 602.10.8. Connections. Delete all except first two sentences. Add



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1. Where joists are perpendicular to braced wall lines above or below, blocking shall be provided between the joists at braced wall panel locations to permit fastening of wall plates in accordance with Table R602.3(1).
2. Where joists are parallel to braced wall lines above or below, a rim joist or other parallel framing member shall be provided at the wall to permit fastening of wall plates in accordance with Table R602.3(1).
3. Elevated post or pier foundations supporting braced wall panels shall be designed in accordance with accepted engineering practice.

Sec. 99. Section R613.2. Window sills. Replace 24 inches (610 mm) with 18" (457 mm).

Sec. 100. Section M.1305.1.3. Add the following after the first sentence: Access to the attic opening shall be provided by a permanent or pull-down stairway in all new construction. In existing installations, portable ladders shall be acceptable.

Sec. 101. Chapters 25 through 42. Delete.

Sec. 102. Add new Chapter 43. Site Work and Safeguards.

Section R4301. Storage and placement. Construction equipment and materials shall be stored and placed so as not to endanger the public, the workers or adjoining property for the duration of the construction project.

Section R4302. Utility connections. Service utility connections shall be discontinued and capped in accordance with the approved rules and the requirements of the authority having jurisdiction.

Section R4303. Excavation and fill for buildings and structures shall be constructed or protected so as not to endanger life or property.

Section R4304. Fill supporting foundations. A building permit is required when fill is used to support the foundations of any building or structure. Special inspections of compacted fill shall be in accordance with Section 1704.7 of the International Building Code 2006.

Section R4305. Protection of Pedestrians

Section R4305.1. Protection required. Pedestrians shall be protected during construction, remodeling and demolition activities by a barrier when the distance from the construction to the lot line is 5 (1524 mm) feet or less.

Section R4305.2. Adjacent to excavations. Every excavation on a site located 5 feet (1524 mm) or less from the street lot line shall be enclosed with a barrier. Where located more than 5 feet (1524 mm) from the street lot line, a barrier shall be erected when and where required by the building official.



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Section R4305.3. Barriers. Barriers shall be at least 42" high, have adequate strength, and shall be of a type which will warn of potential danger.

Section R4306. Protection of Adjoining Property. Adjoining public and private property shall be protected from damage during construction, remodeling and demolition work. Protection shall be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition activities.

Sec. 103. Appendix E. Appendix E is hereby adopted with the following modification: Delete all except subsections AE501 through AE606, with the following modification to Section AE502.3: In the last sentence, first paragraph, change 12 inches (305) to 24 inches (610).

Sec. 104. Appendix F. Appendix F is hereby adopted in its entirety.

Sec. 105. Appendix G. Appendix G is hereby adopted in its entirety, with the following modifications: Section AG101.1, add the following sentence at the end: Swimming pools, Spas and Hot Tubs shall also comply with Chapter 51 of the Montgomery County Code. Section AG105.2: Item 1. Change 48 to 60 and 1219 to 1524; Item 9.2. Delete and substitute the following: 9.2. All doors with direct access to the pool through that wall must be equipped with an alarm that produces an audible warning when the door and its screen, if present, are opened. The alarm must be audible throughout the house during normal household activities. The alarm system may be equipped with a manual means to temporarily deactivate the system for a single opening. The deactivation switch(es) must be located at least 54 inches (1372 mm) above the threshold of the door; Item 9.3. Delete.

Sec. 106. Appendix H. Appendix H is hereby adopted in its entirety.

Sec. 107. Appendix K. Appendix K is hereby adopted in its entirety.

EFFECTIVE DATE

Sec. 108. This regulation is effective on

Approved as to form and legality
Montgomery County, Md. County Attorney's Office

[Signature]

[Signature] April 8, 2008
Isiah Leggett County Executive / Date